

The result was announced—yeas 88, nays 1, as follows:

[Rollcall Vote No. 276 Leg.]

**YEAS—88**

Alexander	Franken	Moran
Ayotte	Gillibrand	Murphy
Baldwin	Graham	Nelson
Barrasso	Grassley	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Brown	Inhofe	Rockefeller
Burr	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shelby
Coats	King	Stabenow
Cochran	Kirk	Tester
Collins	Klobuchar	Toomey
Coons	Landrieu	Udall (CO)
Corker	Leahy	Udall (NM)
Cornyn	Levin	Vitter
Crapo	Manchin	Walsh
Cruz	Markey	Warner
Donnelly	McCain	Warren
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Feinstein	Menendez	Wyden
Fischer	Merkley	
Flake	Mikulski	

**NAYS—1**

Lee

**NOT VOTING—11**

Boxer	Hoeven	Sanders
Cantwell	Murkowski	Shaheen
Coburn	Murray	Thune
Hagan	Rubio	

The motion was agreed to.

**VOTE EXPLANATION**

• **Mr. COBURN.** Mr. President, while I was unable to vote on the motion to concur in the House Amendment to S. 1086, Child Care and Development Block Grant Act of 2014, I would have recorded a vote in opposition to this bill, just as I did when this bill was originally before the Senate in February. I have three reasons to oppose this bill.

First, the Constitution does not permit the Federal Government to operate this program. Article 1, Section 8 of the Constitution lists all the powers given to the Federal Government, none of which includes funding for and oversight of State and local child care programs.

Second, this bill will increase the authorized size of the Child Care and Development Block Grant, CCDBG, program by over \$1 billion without eliminating or reducing a lower priority program elsewhere. At a time when our national debt is over \$17 trillion, Congress continues to spend away the future of the next generation. This reauthorization will exacerbate this problem, and our children will deal with the harsh consequences of our Nation's future fiscal insolvency.

Third, this CCDBG reauthorization does not address previously identified duplication and overlap in existing Federal child care programs and tax expenditures. While it does include a provision for the Department of Health and Human Services to study the issue, I do not believe it goes far enough. The Government Accountability Office has

already identified 33 programs for which child care is an eligible use of funds. For example, States often transfer billions of dollars in funding from the Temporary Assistance for Needy Families block grant program to use in their child care programs. Ultimately, this kind of overlap and duplication underscores Congress' reckless disregard for our future well-being.●

**EXECUTIVE SESSION**

The **PRESIDING OFFICER.** Under the previous order, the Senate will proceed to executive session.

The majority leader.

**UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR**

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following the cloture vote on Executive Calendar No. 858, the Senate consider Calendar Nos. 1050, 898, 961, and 533—these are career ambassadors, in case anyone wants to know—that there be 2 minutes of debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that any rollcall votes following the first in the series be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The **PRESIDING OFFICER.** Is there any objection?

Mr. REID. We expect these nominations to be approved by voice vote.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LEAHY. Mr. President, today we will vote to end Republican filibusters on three district court nominations for Georgia, two of which are judicial emergency vacancies. The Senate should not need to waste our time jumping through these procedural hurdles to confirm nominees who are strongly supported by two Republican home State Senators.

After we vote to invoke cloture and confirm these three nominees, we will still have 17 judicial nominees pending on the Executive Calendar—11 to serve on district courts and 6 to serve on the U.S. Court of Federal Claims. Another nine judicial nominees will be recommended by the Judiciary Committee this Thursday. By the end of the week, there will be 26 nominees reported favorably by the Judiciary Committee pending before the full Senate. All but a few of these nominees will have been reported unanimously and several are from States with at least one and sometimes two Republican home State Senators, including: Wisconsin, Penn-

sylvania, Kentucky, Missouri, Illinois, and Texas. These nominees should all be confirmed before we recess in December. As I mentioned last week, I hope that Senate Republicans will work with Senate Democrats to "clear the decks" on pending business before the end of the 113th Congress, as the incoming majority leader has suggested.

So let us work together as we have in past lameduck sessions to get these nominees confirmed and serving their communities. In 2002, after the midterm elections, Senate Democrats worked to confirm all 20 of President Bush's judicial nominees pending on the Executive Calendar all but one by voice vote. In the 2006 lameduck session, after Senate Democrats won the majority in the elections, Democrats agreed to confirm all 14 of President Bush's judicial nominations pending on the Executive Calendar, but this package was blocked by a Republican Senator. In the most recent lameduck sessions, in 2010 and 2012, a total of 32 judicial nominees were confirmed. We should do the same now.

Leslie Abrams is nominated to fill a vacancy in the U.S. District Court for the Middle District of Georgia. She is currently an assistant U.S. attorney in the U.S. Attorney's Office for the Northern District of Georgia. Prior to becoming an assistant U.S. attorney, she was in private practice at two nationally known law firms. After graduating from Yale Law School, Ms. Abrams served as a law clerk to Judge Marvin J. Garbis on the U.S. District Court for the District of Maryland.

Mark Cohen is nominated to fill an emergency vacancy in the U.S. District Court for the Northern District of Georgia. He has extensive experience, having practiced for over 30 years in both the public and private sectors. Currently a partner at the law firm Troutman Sanders, Mr. Cohen has also served as counsel to former Georgia Governor, Zell Miller, and spent part of his legal career at the Georgia office of the attorney general.

Eleanor Ross is nominated to fill an emergency vacancy in the U.S. District Court for the Northern District of Georgia. She currently serves as a State court judge in DeKalb County, where she has presided over hundreds of cases dealing with both civil and criminal matters. Prior to becoming a judge, she served in various capacities as both a State and Federal prosecutor for over a decade. Throughout her legal career, she has tried over 150 cases to verdict.

All three of these nominees have the strong support of their Republican home State Senators, Senator CHAMBLISS and Senator ISAKSON. All three were also reported unanimously from the Judiciary Committee 5 months ago by voice vote.

If confirmed, Leslie Abrams and Eleanor Ross will be the first African-American women to ever serve as Federal judges in the State of Georgia. This historic moment is long overdue.

In the few remaining days of this Congress, I hope that the Republican Senators who recommended many of the pending judicial nominees to the President will work within their caucus to get consent to confirm nominees to their own home States.

I hope that all Senators will vote to end the filibuster of these nominations today and confirm them.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the Abrams nomination.

Mr. REID. I yield back all time on this nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Leslie Joyce Abrams, of Georgia, to be United States District Judge for the Middle District of Georgia.

Harry Reid, Patrick J. Leahy, Mazie Hirono, Richard J. Durbin, Angus S. King, Jr., Jon Tester, Richard Blumenthal, Bill Nelson, Robert P. Casey, Jr., Elizabeth Warren, Brian Schatz, Al Franken, Sheldon Whitehouse, Benjamin L. Cardin, Tim Kaine, Charles E. Schumer, Tom Harkin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Leslie Joyce Abrams, of Georgia, to be United States District Judge for the Middle District of Georgia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from North Carolina (Mrs. HAGAN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 28, as follows:

[Rollcall Vote No. 277 Ex.]

#### YEAS—68

Ayotte	Cantwell	Collins
Baldwin	Cardin	Coons
Begich	Carper	Cornyn
Bennet	Casey	Donnelly
Blumenthal	Chambliss	Durbin
Booker	Coats	Feinstein
Brown	Cochran	Flake

Franken	Levin	Schatz
Gillibrand	Manchin	Schumer
Graham	Markey	Shaheen
Harkin	McCaskill	Stabenow
Hatch	Menendez	Tester
Heinrich	Merkley	Toomey
Heitkamp	Mikulski	Udall (CO)
Hirono	Murkowski	Udall (NM)
Isakson	Murphy	Vitter
Johnson (SD)	Murray	Walsh
Kaine	Nelson	Warner
King	Pryor	Warren
Kirk	Reed	Whitehouse
Klobuchar	Reid	Wicker
Landrieu	Rockefeller	Wyden
Leahy	Rubio	

#### NAYS—28

Alexander	Grassley	Paul
Barrasso	Heller	Portman
Blunt	Hoeven	Risch
Boozman	Inhofe	Roberts
Burr	Johanns	Scott
Corker	Johnson (WI)	Sessions
Crapo	Lee	Shelby
Cruz	McCain	Thune
Enzi	McConnell	
Fischer	Moran	

#### NOT VOTING—4

Boxer	Hagan
Coburn	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 68, the nays are 28.

The motion is agreed to.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the Cohen nomination.

Mr. LEAHY. Mr. President, I yield back time on this side.

Mr. HATCH. I yield back time on our side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. All time being yielded back, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Mark Howard Cohen, of Georgia, to be United States District Judge for the Northern District of Georgia.

Harry Reid, Patrick J. Leahy, Mazie Hirono, Richard J. Durbin, Angus S. King, Jr., Jon Tester, Richard Blumenthal, Bill Nelson, Robert P. Casey, Jr., Elizabeth Warren, Brian Schatz, Al Franken, Sheldon Whitehouse, Benjamin L. Cardin, Tim Kaine, Charles E. Schumer, Tom Harkin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Mark Howard Cohen, of Georgia, to be United States District Judge for the Northern District of Georgia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from North Carolina (Mrs. HAGAN), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 29, as follows:

[Rollcall Vote No. 278 Ex.]

#### YEAS—67

Ayotte	Graham	Nelson
Baldwin	Harkin	Pryor
Begich	Hatch	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Rockefeller
Booker	Hirono	Rubio
Brown	Isakson	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Kaine	Shaheen
Carper	King	Stabenow
Casey	Klobuchar	Tester
Chambliss	Landrieu	Toomey
Coats	Leahy	Udall (CO)
Cochran	Levin	Udall (NM)
Collins	Manchin	Vitter
Coons	Markey	Walsh
Cornyn	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wicker
Flake	Murkowski	Wyden
Franken	Murphy	
Gillibrand	Murray	

#### NAYS—29

Alexander	Grassley	Moran
Barrasso	Heller	Paul
Blunt	Hoeven	Portman
Boozman	Inhofe	Risch
Burr	Johanns	Roberts
Corker	Johnson (WI)	Scott
Crapo	Kirk	Sessions
Cruz	Lee	Shelby
Enzi	McCain	Thune
Fischer	McConnell	

#### NOT VOTING—4

Boxer	Hagan
Coburn	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 29.

The motion is agreed to.

#### NOMINATION OF MARK HOWARD COHEN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Mark Howard Cohen, of Georgia, to be United States District Judge for the Northern District of Georgia.

#### CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote to invoke cloture on the Ross nomination.

Mr. LEAHY. Mr. President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.